

REMARKS

Applicant respectfully requests reconsideration and allowance of claims 1, and 3-20, which are pending in the above-identified application. Claims 1-8 and 10-15 stand rejected. By the foregoing amendment, Applicant has amended claims 1 and 7 and cancelled claim 2. No new matter is added by the amendments. In view of the following discussion, Applicant submits that all pending claims are in condition for allowance.

Applicant respectfully acknowledges that the Examiner has allowed claims 9 and 16-20.

At page 3, the Examiner rejected claims 1-8 and 10-15 under 35 U.S.C. § 102 (b), as being anticipated by Jaeger et al. (WO 97/12687). Applicant respectfully traverses this rejection.

Amended independent claims 1 and 7 recite that at least an outlet side of a nozzle includes at least one nozzle opening and an outer surface of the outlet side of the nozzle includes at least one of elevation and/or depression microstructures and/or nanostructures, which do not include the nozzle opening.

The Examiner has taken the position that Jaeger et al. allegedly discloses all types of microstructures located on the surfaces. Specifically, the Examiner alleges that the nozzles in the nozzle member, i.e., the nozzle outlets (the spraying apertures themselves) of the Jaeger et al. device, are elevation and/or depression microstructures because the nozzle outlets may run parallel or be inclined relative to one another.

In light of the claim amendments, Applicant respectfully submits that Jaeger et al. does not disclose or suggest each and every limitation of amended independent claims 1 and 7. At page 10, lines 5-10, Jaeger et al. states that “[t]he directions of spraying of the nozzles in the nozzle member may run parallel to one another or may be inclined relative to one another. In a nozzle member having at least two nozzle openings at the outlet end, the directions of spray may be inclined relative to one another...The directions of spraying meet in the vicinity of the nozzle openings.” The elevations and/or depressions of the instant application are not the nozzle opening of the present invention but rather characteristics of the outer surface of the nozzle, outer surface of the end face of

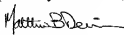
the nozzle holder, or the side wall of the through-bore of the nozzle holder. As such, amended independent claims 1 and 7 recite that the elevation and/or depression microstructures and/or nanostructures do not include the at least one nozzle opening. As such, Applicant submits that Jaeger et al. does not disclose or suggest the elevation and/or depression microstructures and/or nanostructures as claimed. As such, Applicant submits that amended independent claims 1 and 7 are patentable.

Claims 2-6, 8, and 10-15 depend from independent claims 1 and 7, respectively, and recite additional patentable features. Thus, the subject dependent claims are likewise patentable. Accordingly, Applicant submits that claims 1-8 and 10-15 are in condition for allowance, and Applicant respectfully requests that the Examiner's §102 rejection be withdrawn.

Applicant therefore respectfully requests reconsideration and allowance in view of the above remarks and amendments. In the event there are any fees due and owing in connection with this matter, please charge same to our Deposit Account No. 11-0223.

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Respectfully submitted,

By 

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